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Ms. Jill Peters  
Office of Senator McCain  
U.S. Senate  
241 Russell Senate Bldg.  
Washington, DC 20510

Dear Ms. Peters:

I appreciate the time you took to meet with me during my recent trip to Washington, D.C., and Capitol Hill. As the new State Director for the Bureau of Land Management in Arizona, it is important to me to have a positive working relationship with the Arizona Delegation. I believe it is critical to achieve our common goals as we work together on public land issues and to meet the needs of all our constituents.

During our meeting, you asked about several issues to which I will respond. First, I wanted to provide you with information regarding the employee that is jointly funded by the Arizona Bureau of Land Management and the Arizona Game and Fish Department to work jointly on all of the current land use plans underway. The employee is Rebecca Davidson, who can be reached at 602-417-9210.

Next, you inquired about the Colorado River Indian Tribes' (CRIT) request to restore 16,000 acres of land to its reservation. Attached is a background paper to provide you with further information regarding the history and current status of this issue.

Finally, regarding the Petrified Forest Land and Water Conservation Fund acquisition, a background paper is attached with that project's status.

With many public land issues in common, I will look forward to enjoying a productive and positive relationship with you and Senator McCain.

As always, please contact me anytime I can be of assistance.

Sincerely,

/s/ *Elaine Zielinski*

Elaine Y. Zielinski  
State Director

Enclosures

cc: Your Arizona Offices



## **RESTORATION OF LANDS IN LA PAZ COUNTY TO THE RESERVATION OF THE COLORADO RIVER INDIAN TRIBES (CRIT)**

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**March 2003**

### **ISSUES:**

In 1915, Executive Order (E.O.) 2273 excluded approximately 16,000 acres from the Colorado River Indian Reservation, and returned the land to public domain status. The CRIT would like the lands returned to their reservation in trust status. The lands, which are located at the southern tip of the reservation, are approximately three miles northeast of the town of Ehrenberg, Arizona.

### **BLM PERSPECTIVE:**

The BLM recognizes the latest survey as being correct, which reflects the E.O. regarding the boundaries of the reservation. CRIT attorney Daniel Israel has held meetings with officials from the Town of Quartzsite, La Paz County Board of Supervisors, the Tribe, and members of Congress to build support for new legislation.

### **SUMMARY:**

The reservation was established by an Act of Congress on March 3, 1865, and designated approximately 75,000 acres along the Colorado River in Arizona Territory and California. Three subsequent Executive Orders further redefined the reservation. A survey of the reservation boundary was completed in 1876. A 1911 survey of public lands adjacent to the reservation appears to have identified questions regarding the southern boundary of the reservation. As a result of the 1911 survey, E.O. 2273 was issued November 22, 1915, changing the boundary to correct the 1876 survey. Approximately 16,000 acres were removed from the reservation under E.O. 2273. In 1981, Senators Goldwater and DeConcini introduced legislation to restore these lands to the reservation. The legislation was not passed.

The lands are encumbered by 27 active mining claims; 23 authorized 3809 Notices; 7 mineral material permits; 29 authorized rights-of-way, plus two major fiber optic rights of way pending. Additionally, a Bureau of Reclamation withdrawal of less than 100 acres would also be affected. The lands contain important habitat for bighorn sheep, along with Category II and III Sonoran Desert Tortoise habitat. There are also private and state trust lands in the area.

### **CONTACT:**

Elaine Zielinski, Arizona BLM State Director, (602) 417-9500.



## **PETRIFIED FOREST NATIONAL PARK PROPOSED EXPANSION**

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**March 2003**

### **ISSUES:**

The Petrified Forest National Park developed a General Management Plan (GMP) in the 1990s calling for a proposed boundary expansion. Congress never approved the proposed expansion, but in FY 2001, \$2 million was appropriated for acquisition of lands in the proposed expansion area. Since the National Park Service (NPS) cannot conduct realty actions outside park boundaries, responsibility fell to the BLM, which received the funding through the Land and Water Conservation Fund (LWCF). The BLM has been working toward acquisition of private lands within the proposed boundaries. To date, the agency has received complete Preliminary Title Commitments on three of the major private land holdings and is waiting on additional title documentation for the fourth major private land holding. The BLM is currently in the process of drafting instructions to the appraisers on the three properties with complete Preliminary Title Commitments.

Approximately \$432,000 has been taken from the \$2 million appropriation due to a recision in FY 2001 and the borrowing of funds for emergency fire suppression in FY 2002. In FY 2003, only 79% of the funds borrowed for FY 2002 emergency fire suppression were reimbursed to the BLM. The BLM is presently exploring options to replace the funds.

Two legislative efforts were introduced in 2002, HR 4688 IH and S2494 IS. The bills, both titled Petrified Forest National Park Expansion Act of 2001, were virtually identical and proposed a broad expansion of the Park's boundaries. No action was taken on either bill. The legislation has not yet been reintroduced in 2003.

The NPS hosted a field trip of some of the proposed expansion area in May 2002. Todd Hull, staff to National Parks Recreation and Public Lands Subcommittee of the House Resources Committee, and Jim O'Toole, staff to National Parks Historic Preservation and Recreation Subcommittee of the Senate Energy and Natural Resources Committee, were in attendance. Representatives from the National Parks and Conservation Fund, private landowners, and members of the scientific community were also in attendance.

### **SUMMARY:**

Both O'Toole and Hull have reservations about the proposed expansion. Several issues remain outstanding, including acquiring the remaining title documentation, where ownership of the paleo/cultural resources lay (in the surface or subsurface owners estate) and how to acquire state lands. Equally important is the lack of a map indicating the area to be acquired. The GMP has a map based on section lines, while one of the landowners has a map of a proposed expansion area developed along landscape lines. Two of the landowners have made it clear that they will sell all or nothing, requiring an even larger proposed expansion area. The area of acquisition needs to be clearly defined because of these conflicting situations.

### **BLM PERSPECTIVE:**

It is anticipated that legislation will again be introduced in 2003. BLM will continue to work with the NPS and other interested parties to accomplish the acquisition of the identified park expansion lands.

### **CONTACT:**

Elaine Zielinski, Arizona BLM State Director, (602) 417-9500.